

FLOOR SCHEDULE FOR THURSDAY, JUNE 28, 2012

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
<b>10:00 a.m.: Morning Hour</b> <b>12:00 p.m.: Legislative Business</b>  <b>Fifteen "One Minutes" per side</b>	<b>1:30 - 2:30 p.m.</b>	<b>5:00 - 6:00 p.m.</b>

**H.Res. 708** – Rule providing for consideration of H.Res. \_\_\_\_ Resolution recommending that the House of Representatives find Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in contempt of Congress for refusal to comply with a subpoena duly issued by the committee on Oversight and Government Reform and **H.Res. 706** – Authorizing the Committee on Oversight and Government Reform to initiate or intervene in judicial proceedings to enforce certain subpoenas (One Hour of debate). The Rules Committee has recommended one Rule that provides for consideration of two separate resolutions.

For H.Res. \_\_\_\_, the Rules Committee has recommended a closed Rule that provides for 50 minutes of debate equally divided between the Chair and Ranking Member of the Committee on Oversight and Government Reform. The Rule allows no amendments, waives all points of order against the resolution and allows one motion to recommit, with or without instructions.

For H.Res. \_\_\_\_, the Rule also provides one motion to refer at the conclusion of debate offered by Rep. Dingell of Michigan. The motion to refer is debatable for 10 minutes equally divided between the offeror and an opponent.

For H.Res. 706, the Rules Committee has recommended a closed Rule that provides for 20 minutes of debate equally divided between and controlled by the Majority Leader and Minority Leader or their designees. The Rule allows no amendments, waives all points of order against the resolution and allows one motion to recommit.

The GOP Majority has shut down the process and bypassed regular order by disallowing all other motions that would otherwise be available to every Member of the House on a resolution of privilege.

**H.Res. \_\_\_\_ - Resolution recommending that the House of Representatives find Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in contempt of Congress for refusal to comply with a subpoena duly issued by the committee on Oversight and Government Reform (Rep. Issa – Oversight and Government Reform Committee) (50 Minutes of debate)** The Resolution relates to a document request involving allegations of "gunwalking" in an ATF operation known as "Operation Fast and Furious," which came to light when two weapons involved in the operation were recovered at the murder scene of Border Patrol Agent Brian Terry.

However, the documents now at issue are completely unrelated to how "gunwalking" was utilized in the operation. Over the past year, the Justice Department has provided thousands of pages of documents to the Oversight and Government Reform Committee and has made dozens of officials available for interviews and hearings, and the Attorney General has testified before Congress nine times on this topic. The evidence demonstrated that Fast and Furious was in fact the fourth in a series of gunwalking operations run out of the ATF field division in Phoenix over a span of five years beginning in 2006 during the Bush Administration.

The investigation identified no evidence that the Attorney General or senior Department officials were aware of gunwalking in Fast and Furious. To the contrary, as soon as the Attorney General became aware of the tactic, he put a halt to it, ordered an IG investigation, and instituted internal reform measures.

The House of Representatives has never held an Attorney General in contempt. The only precedent cited in the Issa contempt resolution is a committee contempt vote that took place in the 1990's held by then-Chairman Dan Burton against former Attorney General Janet Reno. That action became so widely discredited that Speaker Gingrich chose not to bring it to the Floor for a vote.

The current contempt debate no longer focuses on any documents relating to how gunwalking was initiated and utilized in Operation Fast and Furious. Since Republicans could identify no wrongdoing by the Attorney General, the Committee shifted just last week to focus exclusively on a single letter sent

by the Department's Office of Legislative Affairs to Senator Charles Grassley on February 4, 2011, initially denying allegations of gunwalking. The Department has already acknowledged that its letter was inaccurate, has withdrawn the letter, and has provided the Committee with more than 1,300 pages of documents relating to how it was drafted. These documents show that Department staffers who drafted the letter did not intentionally mislead Congress, but instead relied on inaccurate assurances from ATF leaders and officials in Arizona who ran the operation. Despite these good faith efforts, House Republicans chose to move forward with a contempt resolution anyway.

Moving the goalposts again, the Committee is now demanding additional internal deliberative documents created even after the Grassley letter was sent. The Attorney General offered to provide them in exchange for a good faith commitment to move toward resolution of the contempt fight, but Chairman Issa flatly refused. When it became clear that contempt was inevitable, the Administration asserted executive privilege over this narrow category of deliberative Department documents, while indicating at the same time that it remains willing to continue negotiations.

The Issa contempt resolution is nothing more than a politically motivated, election-year ploy. During this investigation, the Committee refused every Democratic request for a hearing witness, including the head of ATF—the agency that actually ran the operation. Chairman Issa has acknowledged that “we do go down blind alleys regularly” and has made numerous unfounded claims, including accusing the FBI agents of concealing a “third gun” from the scene of Agent Terry’s murder—a claim that the FBI quickly demonstrated to be completely unfounded.

Once again, Republicans are turning what should be a routine matter, in this case vigorous Congressional oversight of the Executive branch, into a pointless partisan confrontation that does nothing to create jobs or solve the real problems facing the American people. **Members are urged to VOTE NO.**

**Bill Text for H.Res. \_\_\_\_:**

[PDF Version](#)

**H.Res. 706 - Authorizing the Committee on Oversight and Government Reform to initiate or intervene in judicial proceedings to enforce certain subpoenas (Rep. Issa – Rules Committee) (20 Minutes of debate)** This resolution allows the Chairman of the Committee on Oversight and Government Reform, to initiate or intervene in judicial proceedings in any federal court and seek declaratory judgments affirming Holder's duty to comply with the committee's subpoena of documents related to Operation Fast and Furious.

The Committee on Oversight and Government Reform would be required to report to the House as soon as practicable on any judicial proceedings it initiates or in which it intervenes. If authorized by the House Speaker, the House Office of General Counsel also would be required to represent the Oversight Committee in such judicial proceedings. The Speaker must consult with the Bipartisan Legal Advisory Group in providing such authorization. **Members are urged to VOTE NO.**

**Bill Text for H.Res. 706:**

[PDF Version](#)

**Possible Completion of [H.R. 5972](#) – Transportation, Housing and Urban Development and Related Agencies Appropriations Act, 2013 (Rep. Latham – Appropriations Committee)** H.R. 5972 provides a net total of \$103.6 billion for the Transportation and Housing and Urban Development (HUD) departments and related agencies. The total, which includes \$52 billion to be released from the highway and aviation trust funds is \$5.7 billion (5%) less than total current funding and \$3.6 billion (3%) less than the President’s request. The measure includes \$69.7 billion for the Transportation Department, including \$39.9 billion for the Federal Highway Administration, \$10.4 billion for mass transit programs, \$16 billion for the Federal Aviation Authority, and \$1.8 billion for Amtrak. It provides \$33.6 billion for Housing and Urban Development.

Republicans are developing this year's spending bills based on the \$1.028 trillion discretionary spending cap included in the Republican (Ryan) Budget Resolution rather than the \$1.047 trillion cap agreed upon in last year's Budget Control Act. As a result, this bill leaves even less room for other agencies and programs in appropriations bills to be considered down the road, as Republicans try and ‘frontload’ some of the appropriations bills while still fitting under their cap.

As of last night, the House completed debate on all amendments at the end of the bill. The following amendments have recorded votes pending:

**Rep. Blackburn Amendment**

**Rep. McClintock Amendment #13**

**Rep. Lankford Amendment**

**Rep. Denham Amendment**  
**Rep. Landry Amendment**

**Postponed Suspension Votes (10 Votes)**

- 1) [H.R. 5889](#) – Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2012, as amended (Rep. Smith (TX) – Judiciary)
- 2) [H.R. 3412](#) – To designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building" (Rep. Boustany – Oversight and Government Reform)
- 3) [H.R. 3501](#) – To designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office" (Rep. Stutzman – Oversight and Government Reform)
- 4) [H.R. 3772](#) – To designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building" (Rep. Thompson (MS) – Oversight and Government Reform)
- 5) [H.R. 3276](#) – To designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building" (Rep. Castor – Oversight and Government Reform)
- 6) [H.R. 4251](#) – Securing Maritime Activities through Risk-based Targeting for Port Security Act (Rep. Miller (MI) – Homeland Security)
- 7) [H.R. 4005](#) – GAPS Act (Rep. Hahn – Homeland Security)
- 8) [H.R. 1447](#) – Aviation Security Stakeholder Participation Act of 2011 (Rep. Thompson (MS) – Homeland Security)
- 9) [H.R. 5843](#) – To amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility (Rep. Lungren – Homeland Security)
- 10) [H.R. 3173](#) – To direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center (Rep. Scalise – Homeland Security)

**TOMORROW'S OUTLOOK**

The GOP Leadership has announced the following schedule for Friday, June 29: The House will meet at 9:00 a.m. for legislative business. The House is expected to complete consideration of H.R. 5972 – Department of Transportation, Housing and Urban Development Appropriations Act, 2013 (Rep. Latham – Appropriations). The House is also expected to consider legislation related to the Interest Rate Reduction Act and the Surface Transportation Extension Act.

**The Daily Quote**

“Here in the House,’ Speaker John Boehner announced after meeting with his caucus Wednesday morning, ‘Republicans are going to continue to stay focused on jobs.’ It’s true. Technically, House Republicans *are* focused on jobs: Eric Holder’s and President Obama’s. They want to put both men out of work. Tying up this administration is Job One for the opposition party, and never more so than this week. Republicans have been awaiting with giddy anticipation a Supreme Court decision Thursday that they expect will overturn Obamacare, the signal achievement of Obama’s presidency. ‘If the court does not strike down the entire law, the House will move to repeal what’s left of it,’ Boehner vowed. At the same time, Republicans decided to dedicate Thursday to a spectacle on the House floor: voting to hold Holder, the attorney general, in contempt of Congress for declining to hand over certain documents related to the Operation ‘Fast and Furious’ guns program on the Mexican border... Republicans rushed the contempt citation to the floor — the first time in history that the body has taken such action against a sitting attorney general — under ‘emergency’ procedures. They did so even though Boehner had not yet met with Holder and even though the committee handling the investigation had not allowed a single witness whom Democrats wanted to testify publicly. Had they worked with such alacrity to create jobs, the economy would probably be booming.”

- Dana Milbank, Washington Post, 6/27/12